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**CENTRAL FAX CENTER****JUN 06 2005****FAX TRANSMISSION****DATE:** June 6, 2005**PTO IDENTIFIER:** Application Number 10/087,198  
Patent Number**Inventor:** Daryl Real et al.**MESSAGE TO:** US Patent and Trademark Office (Examiner Donna A. Jagoe)**FAX NUMBER:** (703)872-9306**FROM:** DARBY & DARBY P.C.  
Jay P. Lessler**PHONE:** (212) 527-7765**Attorney Dkt. #:** 05407/100J328-US1**PAGES (Including Cover Sheet):** 12**CONTENTS:** Certificate of Transmission under 37 C.F.R. 1.8 (1 page)  
Preliminary Amendment (10 pages)

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PTO/SB/97 (12-97)

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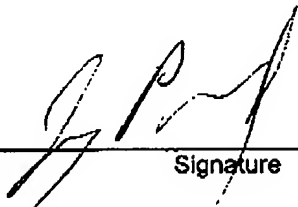
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## Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office for U.S. Patent Application No. 10/087,198 (filed March 1, 2002) to (703)872-9306 (Group Art Unit 1614, Examiner D. A. Jagoe)

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Preliminary Amendment (10 pages)

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**VIA FACSIMILE TO: (703)872-9306**

Docket No.: 05407/100J328-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Daryl Real et al.

Application No.: 10/087,198

Confirmation No.: 8576

Filed: March 1, 2002

Art Unit: 1614

For: METHOD OF ENHANCING REPRODUCTIVE  
PERFORMANCE OF SOWS

Examiner: D. A. Jagoe

**SUBSTITUTE PRELIMINARY AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This Preliminary Amendment is in response to the Communication mailed June 1, 2005, and substitutes the Preliminary Amendment filed February 24, 2005. The Communication erroneously states that a February 10, 2005 Amendment shows amendments based on the wrong pending claim set. The Communication also refers to a Final Office Action dated April 23, 2004, and a Request for Continued Examination filed on August 23, 2004. No papers were mailed by or submitted to the USPTO on any of these dates (i.e., April 23, 2004, August 23, 2004, or February 10, 2005).

In fact, a Request for Continued Examination was filed on January 31, 2005 entering an Amendment filed on November 19, 2004. The claim amendments in the February 24, 2005

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Preliminary Amendment were based on the claims presented in the November 19, 2004 Amendment.

Applicants gratefully thank Supervisory Examiner Christopher Low and Examiner Jagoe for the courtesies shown during the telephone interviews today regarding the June 1, 2005 Communication. During the telephone interviews, the aforementioned errors were noted by the Examiners. It was also noted that claim 17 in the February 24, 2005 Preliminary Amendment included the identifier "previously presented", when in fact the claim was new. This error is corrected in the present Substitute Preliminary Amendment.

Before examination, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 5 of this paper.